

Restriction Requirement, in part, and action on all of claims 1-20, 23, 24 and 26-30 are hereby respectfully urged.

The examiner states that the application contains the following inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1:

Group I, including claims 1, 8, 13 and 20, drawn to an isolated calmodulin-dependent serine/threonine kinase and a composition comprising said kinase;

Group II, including claims 2-7, 9-12, 14-19, 23 and 24, drawn to isolated DNA molecules encoding said kinase, a single stranded RNA molecule complimentary to at least a portion of mRNA which is the transcription product of a DNA encoding said kinase and a method of neutralizing said mRNA using said single stranded RNA;

Group III, including claims 21 and 22, drawn to antibodies which specifically recognize said kinase and antigen binding portions of said antibodies; and

Group IV, including claim 25, drawn to a method of screening individuals for predisposition to cancer comprising using said DNA molecules.

It is noted that claims 26-30 were omitted from the restriction requirement. Claim 26 was part of the claims originally filed, while 27-30 were added by Supplemental Preliminary Amendment of December 15, 2000. It is requested

that the examiner reformulate the restriction requirement to include these claims.

This restriction requirement is respectfully traversed insofar as Groups I and II are concerned.

Applicant hereby provisionally elects Group I, with traverse, drawn to the isolated calmodulin-dependent serine/threonine kinase and a composition comprising said kinase. However, according to the PCT Administrative Instructions, the DNA claims of Group II must be examined with the protein claims of Group I. While the examiner states that the DNA and protein do not share the same or corresponding special technical feature, this statement is incorrect. The examiner's attention is invited to PCT Administrative Instructions, Annex B, Unity of Invention, Part 2, Example 17, which reads:

Example 17

Claim 1: Protein X

Claim 2: DNA sequence encoding protein X.

Expression of the DNA sequence in a host results in the production of a protein which is determined by the DNA sequence. The protein and the DNA sequence exhibit corresponding special technical features. Unity between claims 1 and 2 is accepted.

For the same reasons, unity between claims 1 and 2 must be accepted. Accordingly, reconsideration and withdrawal of the

restriction requirement insofar as Groups I and II are concerned, and examination of all of the claims in both Groups I and II, i.e., claims 1-20, 23 and 24 are hereby respectfully urged.

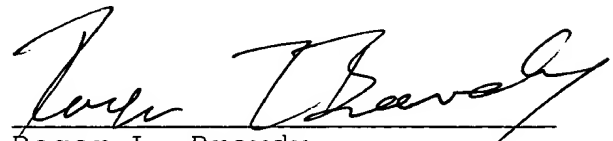
The non-elected claims of Groups III and IV have now been deleted without prejudice toward the continuation of prosecution thereof in one or more divisional applications.

Reconsideration or withdrawal of the restriction requirement to the extent requested above, and examination of all of the claims now present in this case, are earnestly solicited.

Respectfully submitted,

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